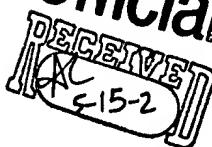


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BT

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Official



SZABO 201.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew Szabo

Serial No.: 09/400,649

Filed : September 21, 1999

For : NUTRITIONAL OPTIMIZATION SYSTEM AND METHOD

Group: 3736

May 14, 2002

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 14, 2002 of the primary Examiner rejecting claims 29-73.

The period for response to the final rejection was set to expire on April 14, 2002. Such period has been extended for one month by the present petition to expire on May 14, 2002.

Appeal fee (check one):

 \$320.00 \$160.00 (Small entity)Extension fee (check one):  \$110.00 \$55.00

09/400,649

- 1 -

Applicant is:

a small entity

verified statement attached

verified statement filed

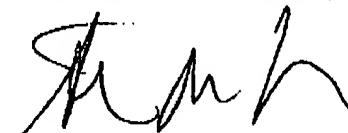
other than small entity.

The Commissioner is hereby authorized to charge all fees due in connection herewith to  
Deposit Account No. 50-0427.

Please charge any insufficiency of fee, or credit any excess, to Deposit  
Account No. 50-0427.

Respectfully submitted,

MILDE & HOFFBERG, LLP



By: Steven M. Hoffberg  
Reg. No. 33,511  
Attorney for Applicants

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09/400,649

- 2 -

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May 14, 2002

To: Examiner Samuel G. Rimell

Re: 09/400,649

Fax: (703) 308-9051

146-7238

Pages: 3

(including cover)

From: Steven M. Hoffberg, Esq.

I hereby certify that the attached Notice of Appeal and Petition for Extension of Time is being transmitted by facsimile to the above number on May 14, 2002 by the undersigned.



Steven M. Hoffberg  
Reg. 33,511

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